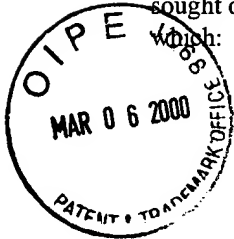


COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled FACILITATING PHOTOGRAPHIC PRINT RE-ORDERING, the specification of which:



- ☐ is attached hereto.
☒ was filed on November 29, 1999 as Application Serial No. 09/450,923.
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Roger S. Borovoy, Reg. No. 20,193
 William J. Egan, III, Reg. No. 28,411
 David J. Goren, Reg. No. 34,609
 Leland Weisner, Reg. No. 39,424

Hans R. Troesch, Reg. No. 36,950
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Address all telephone calls to BAO Q. TRAN at telephone number (650) 233-2122.

Address all correspondence to BAO Q. TRAN at:

FISH & RICHARDSON P.C.
 2200 Sand Hill Road, Suite 100
 Menlo Park, CA 94025

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Jimmy Ping Fai Chui

Inventor's Signature: Jimmy Ping Fai Chui

Residence Address: Redwood City, California

Citizenship: U.S.A.

Post Office Address: 950 Redwood Shores Parkway, Apt. #C101, Redwood City, CA 94065

Date: Feb 17, 2000

Combined Declaration and Power of Attorney

Page 2 of 2 Pages

Full Name of Inventor: Danny D. Loh

Inventor's Signature:

Danny D. Loh

Date: 2/14/00

Residence Address: Fremont, California

Citizenship: U.S.A.

Post Office Address: 34350 Eucalyptus Terrace, Fremont, CA 94555

Full Name of Inventor: Daniel R. Baum

Inventor's Signature:

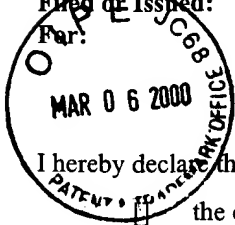
D. R. Baum

Date: 2/14/00

Residence Address: Menlo Park, California

Citizenship: U.S.A.

Post Office Address: 685 San Mateo Drive, Menlo Park, CA 94025

Applicant or Patentee: Jimmy Ping Fai Chui, et al.Serial or Patent No.: 09/450,923Filed or Issued: November 29, 1999For: FACILITATING PHOTOGRAPHIC PRINT RE-ORDERING

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) — SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Shutterfly, Inc.
Address of Small Business Concern: 2800 Bridge Parkway, Suite 101
Redwood Shores, California 94065

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled FACILITATING PHOTOGRAPHIC PRINT RE-ORDERING by inventors Jimmy Ping Fai Chui, Danny Loh and Daniel R. Baum described in:

- ☐ the specification filed herewith.
☒ application serial no. 09/450,923, filed November 29, 1999.
☐ patent no. , issued .

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status when any new rule 53 application is filed or prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent on which this verified statement is directed.

Name:	<u>Daniel R. Baum</u>
Title:	<u> </u>
Address:	<u>2800 Bridge Parkway, Suite 101</u> <u>Redwood Shores, California 94065</u>

Signature: Date: 2/14/00